MINUTES OF MEETINGS

OF THE

ISTHMIAN CANAL COMMISSION

JANUARY–DECEMBER
1910

Gift of the Panama Canal Museum

WASHINGTON :- GOVERNMENT PRINTING OFFICE
1911

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MINUTES OF MEETINGS OF THE ISTHMIAN CANAL COMMISSION.

ONE HUNDRED AND FIFTY-SIXTH MEETING.

CULEBRA, CANAL ZONE, *April 23, 1910.*

The Commission met at the call of the Chairman at 2.30 p. m.

Present: Commissioners Goethals (Chairman), Hodges, Gaillard, Sibert, Rousseau, and Gorgas.

The Commission elected the Chairman's Chief Clerk, Mr. Cloyd A. McIlvaine, as Acting Secretary of the Commission for the meeting.

The minutes of the one hundred and fifty-fifth meeting were read and approved.

1. The Chairman read the following executive orders, which were ordered to be spread upon the minutes:

EXECUTIVE ORDER.

By direction of the President, it is ordered:

That the executive order of March 12, 1907, effective July 1, 1907, be, and the same hereby is, amended by the addition of the following:

Provided, That indemnity insurance companies whose business within the Canal Zone consists solely of furnishing fidelity bonds of employees of the United States, which are required by the laws of the Canal Zone, or regulations of the Isthmian Canal Commission, shall hereafter be exempt from liability to pay the annual fee of fifty dollars and the license tax of one and one-half per centum of their premium receipts.

ROBERT SHAW OLIVER,
Acting Secretary of War.

WAR DEPARTMENT,
Washington, D. C., October 15, 1909.

EXECUTIVE ORDER.

By authority of the President of the United States, it is ordered:

That act 14, enacted by the Isthmian Canal Commission by authority of the President under date of September 3, 1904, entitled "An act to establish a penal code for the Canal Zone, Isthmus of Panama," be, and the same is hereby, amended by adding after paragraph 6 of section 450 the following:

"7. As a member of a rifle, gun, or pistol club, organized for the promotion of rifle, gun, or pistol practice, a certified copy of whose constitution and by-laws has been approved by the Chief Executive of the Canal Zone and filed with the Collector of

Revenues, when going to and from a target range and when engaged in target practice at a target range. For the purposes of this section certificates of membership in such rifle, gun, or pistol club shall be issued under regulations approved by the Chief Executive of the Canal Zone."

And section 456 be, and the same is hereby, amended as follows:

"The license fees for permits issued by the Treasurer under the provisions of this title shall be as follows: For every permit issued to carry a firearm abroad, five dollars ($5.00); for every permit authorizing an overseer or watchman engaged by a private employer, ten dollars ($10.00) for each watchman or overseer so authorized to carry a firearm; for each hunting permit, five dollars ($5.00): *Provided*, That no charge shall be made for hunting permits issued to enlisted men of the Marine Corps stationed on the Isthmus of Panama. The treasurer shall keep a record of all licenses issued by him, with the name and residence of the persons to whom they are issued, and the date and serial number thereof."

J. M. DICKINSON, *Secretary of War.*

WAR DEPARTMENT,
Washington, D. C., December 1, 1909.

EXECUTIVE ORDER.

The Isthmian Canal Commission may, from the necessities of sanitation, cause such improvements to be made in the Canal Zone as the construction of streets, roads, and trails, water and sewer systems, and similar sanitary improvements, and may charge such proportion of the cost thereof, not to exceed one-half, to the owners of the property adjacent to, abutting upon, or within the district in which such improvement is necessary and has been made, as may be decided by the Isthmian Canal Commission to be just and equitable.

Due notice of all such improvements shall be given to persons affected thereby, together with the estimated assessment, in accordance with rules to be issued by the Isthmian Canal Commission. Any unpaid assessment shall become a lien upon the property affected thereby, collectible as provided by law.

WM. H. TAFT.

WASHINGTON, *January 26, 1910.*

(No. 1158.)

EXECUTIVE ORDER.

By authority of the President of the United States, it is ordered:

That each member of the Board of Local Inspectors, appointed under the authority of Executive Order No. 1131 of the President, dated October 2, 1909, is hereby authorized to administer oaths necessary in conducting the business of the Board.

J. M. DICKINSON, *Secretary of War.*

WAR DEPARTMENT, *Washington, D. C., February 8, 1910.*

EXECUTIVE ORDER.

The provisions of the second paragraph of the executive order of March 13, 1907, which fix the duties of the district tax collectors of the Canal Zone, shall not require the collection by them of moneys to be paid for liquor licenses under the regulation respecting the sale of intoxicating liquors in the Canal Zone, approved by the Isthmian

Canal Commission, April 27, 1907; but such moneys shall be collected by the Collector of Revenues or his deputy or assistant.

WM. H. TAFT.

THE WHITE HOUSE, *April 2, 1910.*

(No. 1184.)

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2. The Chairman presented a statement showing appointments, promotions, and other changes in the personnel of the Washington Office and Assistant Purchasing Agencies, covering the period from July 1, 1909, to December 31, 1909, inclusive; all of which were ratified and approved.

3. The Commission formally confirmed the following resolution authorizing the remodeling of the dining saloon of the steamship *Colon*, which was adopted by letter ballot of February 17, 1909:

"It being deemed necessary for the good of the service and for the accommodation of additional passengers to remodel the dining saloon of the steamship *Colon*, owned by the United States Government and operated by the Commission,

"*Resolved*, That the Chairman of the Commission be authorized to approve a contract to be entered into by the Panama Railroad Company for the making of needed changes to the dining saloon of the said steamship *Colon*, and the disbursing officers of the Commission are directed to pay the expense bills for said improvement when certified to be correct by the officers of the Railroad Company.

"*Resolved further*, That the charter rate to be paid by the Railroad Company for the use of said steamship shall be increased by an amount equal to 4 per cent upon the cost of said improvement, and that the charter party between the Railroad Company and the Commission of November 10, 1905, be modified, and the modification accepted by the Railroad Company accordingly."

4. The Commission formally confirmed the following resolution respecting the organization of the Police Department, which was adopted by letter ballot of February 2, 1910:

"*Resolved*, That article 7 of the Rules and Regulations for the Government of the Canal Zone Police Force, approved at the one hundred and forty-fifth meeting of the Commission, held at Culebra on July 18, 1908, and amended at the one hundred and fifty-fourth meeting of the Commission, held at Ancon on August 6, 1909, be, and the same hereby is, amended to provide the following rates of pay for members of the Police Force:

"Policeman, $40, $45, and $50 per month; first-class policemen, $80, $90, $100, and $107.50 per month; Corporals, one-half the number in service, $122.50 per month and one-half $132.50 per month; Sergeants, one-half the number in the service $142.50 per month and one-half $157.50 per month; four (4) Lieutenants, at $160 per month; two (2) Inspectors, at $175 per month; one Assistant Chief of Police, at $275 per month; one Chief of Police, at $333.33 per month. The number of policemen and first-class policemen in the

several ranks shall be fixed by the head of the Department of Civil Administration, with the approval of the Chairman."

5. The following memorandum of agreement between the Isthmian Canal Commission and the Panama Railroad Company respecting the operation of dock 14 at Cristobal was read and approved:

Memorandum of agreement between the Isthmian Canal Commission and the Panama Railroad Company with reference to (*a*) the cancellation of so much of the lease executed November 15, 1906 (which rents Isthmian Canal Commission docks 11 and 14, Cristobal, and the wharves at Balboa to the Panama Railroad Company), as relates to that portion of dock 14, Cristobal, running north and south at right angles with what is known as the "coal dock;" and (*b*) the resumption by the Isthmian Canal Commission on December 1, 1909, of the entire control and supervision of that dock and the operations thereon.

1. The annual rental provided for in the above-mentioned lease to be paid by the Panama Railroad Company to the Isthmian Canal Commission shall be reduced by $1,448.78, which represents the proportionate rental of that part of dock 14 reverting to the jurisdiction of the Isthmian Canal Commission as obtained by a comparison of its area in square feet with the total area of all the leased docks and wharves.

2. The Quartermaster's Department of the Isthmian Canal Commission will stevedore, check, load on cars, and ship all material arriving in vessels berthed at this dock.

While handling material consigned to private parties and what is known as "through freight" the Isthmian Canal Commission shall be considered as agents for the Panama Railroad Company and will render bills for such services against the Panama Railroad Company, the railroad in turn to bill consignees or connecting transportation lines.

3. All matters relating to overs, shorts, or damages in private shipments and "through freight" are to be taken up and handled by the Claim Department of the Panama Railroad Company.

4. The ownership of the cantilever crane and its appurtenances at dock 14 and of all stevedoring tools and appliances which may be in use on dock 14 on December 1, 1909, is to be transferred to the Isthmian Canal Commission (Quartermaster's Department), for which the Panama Railroad Company shall be paid at such valuation as may be placed thereon by the Surveying Officer of the Isthmian Canal Commission.

5. The Isthmian Canal Commission will bill the Panama Railroad Company for services in handling material over this dock which is consigned to the Panama Railroad Company and for "through freight" at the following tariff rates:

	Handling.	Rehandling.	Assorting.
General cargo, per ton	$0.32	.....	.....
Track material, per ton	.30	.....	.....
Cross-ties, each	.02	$0.01	.....
Lumber, per M feet	.55	.....	$0.25
Piling, per foot	.0035	.0035	.....

For material consigned to private parties the Panama Railroad Company will be billed for services at the following tariff rates:

	Handling.	Rehandling.	Assorting.
General cargo, per ton	$0.40	.....	.....
Track material, per ton	.35	.....	.....
Cross-ties, each	.02½	$0.02½	.....
Lumber, per M feet	.65	.....	$0.40
Piling, per foot	.004	.004	.....

6. This memorandum agreement will be terminable on thirty days' written notice by either party or by any supplementary agreement.

Approval recommended, effective December 1, 1909.

J. A. SMITH,
General Superintendent P. R. R.
C. NIXON,
Depot Quartermaster, I. C. C.

Dated at Colon, November 30, 1909.

6. The following resolution, adopted by letter ballot, authorizing F. L. Grosvenor, foreman in the Central Division, to enter January 21, 1910, upon forty-two days' leave of absence with pay, for his service year beginning May 11, 1909, was formally confirmed:

Resolved, That F. L. Grosvenor be granted forty-two days' leave of absence with pay, effective January 21, 1910, for his service year beginning May 11, 1909, which ordinarily would not be due until March 11, 1910.

7. The Chairman stated that Mr. Louis K. Rourke, Assistant Division Engineer of the Central Division, had tendered his resignation and desired to sail for the States on May 31, 1910.

It was, thereupon

Resolved, That Mr. Louis K. Rourke be granted forty-two days' leave of absence with pay, effective May 31, 1910, for his service year beginning August 9, 1909, which ordinarily would not be due until June 9, 1910; that his resignation be accepted at the expiration thereof, and that he be paid in the States for the period of his leave under the regulations of the Commission.

8. The following resolution, adopted by letter ballot, authorizing J. W. Kendall, locomotive engineer in the Central Division, to enter April 1, 1910, upon forty-two days' leave of absence with pay, for his service year beginning June 5, 1909, was formally confirmed:

Resolved, That J. W. Kendall be granted forty-two days' leave of absence with pay, effective April 1, 1910, for his service year beginning June 5, 1909, which ordinarily would not be due until April 5, 1910.

9. The Commission formally confirmed its action by letter ballot of December 14, 1909, authorizing the closing of the Canal Zone public schools for the Christmas holidays from December 25, 1909, to January 2, 1910, inclusive.

It was further

Resolved, That holiday intermissions for the Canal Zone public schools during the school term shall hereafter be fixed by the Superintendent of Schools, with the approval of the Head of the Department of Civil Administration.

10. The Commission formally recommended for approval the following draft of an ordinance requiring proprietors of hotels, boarding,

or lodging houses in the Canal Zone to enter certain information respecting guests in a register book kept for that purpose:

Every proprietor or manager of any hotel, boarding, or lodging house in the Canal Zone shall keep a register of all guests; which register shall clearly show the name, nationality, and date of arrival of each guest, the place from whence he came, and the date of his departure and destination. Any proprietor or manager failing to keep such register, or any guest failing or refusing to give true information for entry in such register shall be guilty of a misdemeanor.

11. The regulations governing the treatment of persons by the physicians and in the hospitals of the Department of Sanitation, as adopted by the Commission at its one hundred and twenty-fourth meeting, were amended by authorizing a rate of 30 cents gold per day for the treatment of servants of employees of the Isthmian Canal Commission and of the Panama Railroad Company.

12. Upon motion it was

Resolved, That section 2 of the order of the government of the Canal Zone, dated September 23, 1905, respecting the management, organization, and maintenance of Santo Tomas Hospital in the city of Panama, ratified and approved at the eighteenth meeting of the Executive Committee of the Isthmian Canal Commission and the ninety-ninth meeting of the Commission be, and the same hereby is, amended to provide that two of the members of the Board of Directors to be appointed by the President of the Republic of Panama shall be physicians on the Santo Tomas Hospital staff, and that the Secretary and Treasurer of that institution shall be ex officio members of the Board of Directors, but shall have no voice in the proceedings of the Board.

13. *Resolved*, That in accordance with the provisions of section 4 of the regulations respecting the sale of intoxicating liquors in the Canal Zone, adopted by the Commission April 27, 1907, and approved by the Secretary of War May 17, 1907, the towns and villages of the Canal Zone, in which saloons and drinking places may be licensed for the year commencing July 1, 1910, and the areas in such towns and villages within which such saloons and drinking places may be located be, and the same hereby are, fixed as follows:

Rio Grande.—On the west side of the old line of the Panama Railroad, facing the railroad, in line with the saloons at present licensed there.

Culebra.—Lots 11 to 19, inclusive, block 1; lots 12 to 20, inclusive, block 2; lots 1 to 9, inclusive, block 4; lots 2 to 10, inclusive, block 5, in West Culebra.

Empire.—The area bounded by Second avenue, Main street, Seventh avenue, and Front street.

Las Cascadas.—The section known as the new town, where private houses are now located, on the west side of the Panama Railroad.

Bas Obispo.—On the west side of the Panama Railroad, in line with the buildings in which saloons are now located.

Matachin.—On the main street of the town, on the north side of the Panama Railroad, in line with the buildings in which saloons are now located.

Gorgona.—Area bounded by Second street, Avenue E, Fifth street, and Central avenue (or Avenue A); but no saloons will be permitted to face on Central avenue.

Tabernilla.—On the front street of the town, east of the Panama Railroad, facing the railroad and running a distance of about 500 feet in a northerly direction from the building in which a saloon is at present located, north of the Panama Railroad passenger station.

Bohio.—On the main street of the town, on the southwest side of the Panama Railroad, fronting the railroad.

Gatun.—Blocks 7 and 8 of the new town laid out by the Panama Railroad Company.

All of the areas described are more particularly indicated on maps, numbered 1 to 11, inclusive, prepared in the office of the Chief Engineer of the Isthmian Canal Commission and approved by the Head of the Department of Civil Administration.

The designation of the areas hereinbefore made, however, shall not be construed as prohibiting the renewal of the licenses of dealers now engaged in the retail sale of liquor, under proper license, in any of the towns mentioned, outside of the areas designated, the places of business of all such dealers outside of the areas described being shown on the maps hereinbefore referred to.

Resolved, further, That the number of saloons to be located in each town within the area designated shall not be restricted, but that each reliable and responsible applicant shall be granted a license for the sale of liquor within any such described area, in conformity with the regulations, upon the payment of the necessary fee.

14. Upon motion, it was

Resolved, That economy in the administration of the Panama Canal, both before and after completion, requires adherence to the principle that such facilities, appurtenances, etc., as may be required for its construction, sanitation, operation, maintenance, repair, defense, and commercial use, and by the Panama Railroad and by the Canal Zone government, shall be combined and consolidated, so far as practicable, without duplication, regardless of their use by more than one executive department of the government.

There being no further business before the Commission, the meeting was adjourned at 4 o'clock p. m., subject to the call of the Chairman.

ONE HUNDRED AND FIFTY-SEVENTH MEETING.

CULEBRA, CANAL ZONE, *June 9, 1910.*

The Commission met at the call of the Acting Chairman at 2.30 p. m.

Present: Commissioners Hodges (Acting Chairman), Sibert, Rousseau, Thatcher, and Secretary Bishop.

Absent: Commissioners Goethals (Chairman), Gaillard, and Gorgas.

The minutes of the one hundred and fifty-sixth meeting were read and approved.

1. The Acting Chairman read the following executive orders, which were ordered to be spread upon the minutes:

EXECUTIVE ORDER.

Maurice H. Thatcher is hereby appointed a member of the Isthmian Canal Commission with compensation at the rate of $14,000 per annum, effective upon date of sailing for the Isthmus of Panama.

Commissioner Thatcher will be allowed the use of a furnished dwelling house on the Isthmus of Panama and will be allowed and paid his actual and necessary expenses while away from the Isthmus on official business.

WM. H. TAFT.

THE WHITE HOUSE, *April 12, 1910.*

(No. 1188.)

EXECUTIVE ORDER.

By virtue of the authority vested in me I hereby establish the following order for the Canal Zone:

ARTICLE 1. The Counsel and Chief Attorney for the Isthmian Canal Commission shall be legal adviser to the Commission, the Chairman thereof and to the Head of the Department of Civil Administration; he shall submit his opinions in writing when requested by the Commission, the Chairman thereof or the Head of the Department of Civil Administration; he shall have the direction and control of all litigation before the courts of the Canal Zone or the Republic of Panama in which the Commission, or the Government of the Canal Zone or any of its dependencies are interested or involved, and he may appear for them, or either of them, before said courts when he deems it necessary; he shall have the supervision and direction of all prosecutions for offenses against the laws of the Canal Zone, and he may inquire into criminal matters and prosecute the same in person before the courts, when in his opinion it may be necessary to do so.

ARTICLE 2. The Counsel and Chief Attorney for the Isthmian Canal Commission, the Prosecuting Attorney, the Assistant Prosecuting Attorney, or other counsel specially designated by the Head of the Department of Civil Administration, shall have equal

authority with the judges of the courts of the Canal Zone to issue subpœnas for witnesses in criminal cases, and each of said officers, as well as any judge of any of the courts of the Canal Zone, may examine witnesses under oath in the investigation of offenses against the laws of the Canal Zone.

ARTICLE 3. The information in a criminal case may be filed by the Prosecuting Attorney, the Assistant Prosecuting Attorney, or other counsel specially designated by the Head of the Department of Civil Administration, as well as by the Counsel and Chief Attorney for the Isthmian Canal Commission, and it may be verified by any of said officers, and the affidavit shall be sufficient if it states that the information is based upon the sworn testimony of witnesses and that the affiant solemnly believes that there is just cause for the filing of the information.

ARTICLE 4. Section 138 of the Code of Criminal Procedure is hereby amended to read as follows:

SECTION 138. When the information is not subscribed and sworn to by the Prosecuting Attorney, or other officer authorized to file informations, it must be set aside by the court in which the defendant is arraigned, upon his motion.

ARTICLE 5. Civil and criminal process issued from any court or tribunal of the Canal Zone may be executed and return thereon made by any peace officer of the Canal Zone.

The following are peace officers: The Marshal and Deputy Marshals of the Supreme Court; the Marshal of each of the Circuit Courts; the Bailiffs of the Supreme and Circuit Courts and all officers and members of the police force of the Canal Zone.

The provisions of this Article are cumulative, and shall not be construed to repeal or modify the existing laws relating to the execution of process and return thereon.

ARTICLE 6. All laws or orders, or parts thereof, in conflict with this Order are hereby repealed.

WM. H. TAFT.

THE WHITE HOUSE, *April 16, 1910.*

(No. 1190.)

EXECUTIVE ORDER.

Under authority vested in me by law, it is ordered that so much of Act No. 8, enacted by the Isthmian Canal Commission September 2, 1904, as provides that certain duties be performed by the Executive Secretary, is hereby amended.

The office of Executive Secretary will be abolished on June 1, 1910, and the duties heretofore devolving upon that official will on and after that date be performed by any official of the Department of Civil Administration that may be designated by the proper authority.

J. M. DICKINSON,
Secretary of War.

MAY 24, 1910.

2. The Acting Chairman read the following letter addressed by the Chairman, under date of May 7, 1910, to Mr. H. L. Mayhew, Secretary, in response to petition presented by members of the Trades Council on the Isthmus for an increase in pay of 20 per cent to all hourly gold employees, and the same was ordered to be spread upon the minutes.

MAY 7, 1910.

Mr. H. L. MAYHEW,
Secretary, Trades Council, Pedro Miguel.

SIR: I have laid before the Isthmian Canal Commission the petition of the hourly gold employees on the Isthmus for 20 per cent increase in pay, as explained further by typewritten copies of the hearing given representatives of the Trades Council on the

Isthmus at Culebra, on April 10, and the members of the Commission have expressed their views and opinions in regard to this matter as stated hereinafter.

The reasons given both in the petition and at the hearing why the increase in pay requested should be granted are substantially as follows:

1. Insufficient pay as compared with pay for the same class of work in the United States.

2. Lack of ability to obtain and retain on the Isthmus the necessary number of skilled employees under the existing wage scale.

3. No increase has been granted hourly gold employees for over four years.

4. Increased cost of living on the Isthmus.

5. Recent increases in wage scale in the United States.

6. Risk to health and inconvenience resulting from giving up homes in the United States to come to the Isthmus.

7. Longevity increase has been eliminated and overtime pay reduced.

8. Compensation of some monthly employees is on a higher level than that of the hourly gold employees.

First of all, I desire to say that the Commission is thoroughly in sympathy with the hourly gold employees and appreciates fully the conscientious, hard work which they are performing and which is assisting so materially in the rapid and economical progress of construction work, and, so far as it considers practicable, it desires always to relieve any inequitable conditions and to promote the welfare of all employees.

The petition referred to would, if granted, involve increased expenditures for wages of approximately $500,000 per annum. This is a large amount and can not be lightly passed upon and can not be granted without clear and indisputable reasons for the necessity thereof.

The present practically uniform wage scale of 65 cents an hour was made effective December 1, 1905. The base rate of pay of those who earned longevity increases during the time same was in effect is greater. A 20 per cent increase to all hourly gold employees will increase the base rate to 78 cents an hour and increase the average monthly compensation to hourly gold employees to something over $160 per month.

It will therefore naturally result in a request for increase in pay from a large number of the monthly gold employees who consider that the work they perform merits at least equal compensation. Monthly gold employees are two and a half times as numerous as the hourly gold employees. The total increased cost to the Commission and to the Panama Railroad, therefore, for all increases requested resulting from this petition, if granted, might easily exceed three-quarters of a million dollars per annum, and without any appreciable increased output of work.

The present scale of wages has remained constant on the Isthmus for the past four years, notwithstanding that during that period there has been a marked depression in industrial pursuits in the United States, with a reduction in wages two years ago, which only now is being wiped out by the increases in pay that are now being granted there. It has been the endeavor of the Commission all along to adjust the standard wage scale on the Isthmus, so that it would be equitable and fair when compared with the wage scale in the United States, taking into consideration the difference in living conditions, and privileges accorded employees on the Isthmus that similar employees in the United States do not receive. There is inclosed for your information copy of comparison instituted between wages on the Isthmus and those paid in the United States in the different navy-yards, compiled some little time ago. It is understood that this comparison is essentially correct at the present time, there having been only a few small increases in the navy-yards' schedule of wages since that time. Comparison of the Isthmian wage scale with the average wages paid in commercial establishments in the United States is even more favorable to the Isthmian wage scale.

The increase in wages, alone, on the Isthmus is, with few exceptions, from 25 to 50 per cent, as compared with the wages paid in the United States.

In addition, Commission employees are accorded certain privileges, including special transportation rates, quarters, hospital privileges, leave, etc., which have a definite money value the monthly average of which is not far from the following:

Privilege.	Per capita per month.	
	Married employees.	Bachelors.
Fuel	$3.30	
Light	5.13	$0.57
Water	1.25	.26
Removing garbage and care of grounds	1.51	.15
Free transportation	1.00	1.00
Y. M. C. A. and band	.75	.75
Medical attendance	7.50	5.00
Quarters and furniture	20.00	5.00
Total monthly cost	40.44	13.98

The cost of the sum total of these privileges is large item and, if taken into consideration, will, with the present wage scale, cause the compensation of employees on the Isthmus to, on an average, almost double the compensation of similar employees in the United States.

With reference to the statement as to the increased cost of food supplied on the Isthmus and that the commissary prices are greater than they were a year ago, the Subsistence Department has prepared a careful and complete comparison. The table submitted at the hearing, comparing the prices in the fall of 1907 with those in the spring of 1910, is hardly fair, as meats and vegetables are as a rule cheaper in the fall than in the spring, and therefore any comparisons should be based on the same months. A comparison of the prices for the items mentioned at the hearing for the past three years for the month of April is inclosed herewith. From the careful comparison that has been made by the Commissary Department the Commission does not understand that any necessity for an increase in wages would be justified on the ground of increase in commissary prices on the Isthmus.

While the commercial revival in the United States has opened the way to employment to a large number of those who would otherwise have been attracted to the Isthmus by the existing wage scale, the present supply of suitable men to fill vacancies as they occur does not offer any special difficulties or any reasons for making any increase in wages on account thereof.

The fact also that no increase has been granted to hourly gold employees for over four years can not in itself be given weight by the Commission in passing on your petition for such reason, if recognized, would be claimed in parallel instances by other classes of employees than the hourly gold employees. As a matter of fact, the two weeks' annual leave with pay, which was recently granted to hourly gold employees, is a privilege which should be considered practically as an equivalent increase in pay of about 4 per cent. Moreover, by existing law longevity increase in pay can not be made. The risk to health and inconvenience resulting from coming to the Isthmus from the United States are admitted, but the fact that these factors have been very much lessened within the past three years and since the establishment of the present wage scale must be taken into consideration; and it must also be considered that the compensation and allowances of employees have been fixed with due regard to these factors.

Longevity increase in pay has been eliminated and overtime pay reduced, as stated. Such action has been taken in obedience to existing laws, and it must be appreciated that any increase granted by the Commission as an equivalent to any reduction having

resulted from said laws would nullify the action of Congress and subject the Commission to such criticism as would be proper for an action of that kind.

The opinion expressed at the hearing given at Culebra does not indicate that overtime work is desired, and does not indicate that the hourly men desire, as a class, transfer to the monthly basis.

So far as the Commission is aware, the compensation of monthly employees, as a class, is not on a higher level than that of the hourly gold employees.

After careful consideration and investigation, therefore, the Commission has not been able to reach the opinion that the present wage scale of the hourly gold employees on the Isthmus is insufficient or that there has been any change in the conditions since it was first established that would render an increase at the present time justifiable. It regrets, therefore, that it can not see its way clear to grant the petition of the hourly gold employees for an increase.

Respectfully,

GEO. W. GOETHALS,
Chairman and Chief Engineer.

3. Upon motion, it was—

Resolved, That the Head of the Department of Civil Administration be, and he is hereby, authorized to take the necessary steps for the issuance of licenses for the retail sale of liquor in the Canal Zone for the year beginning July 1, 1910, to the following applicants:

Rio Grande:
- Wing Wo Yuen.
- Lee Hop.
- Kwong Hing Yan.
- Julio Victorero.
- P. Canavaggio.
- Low Chong.

Culebra:
- Wong You Kee.
- Pedro Colomar.
- Ho Chong & Leon Chow.
- Coyne & McFarlane.
- Hip Woo.
- Nemisio Victorero.

Empire:
- Jose Sandi.
- Juan A. Martinez.
- Yuen Hing Chong.
- Chee Hing.
- Lai Hing.
- Manuel Leones.
- Mezele Gustave.
- Alfred Charles Bowley.
- James Ferguson.
- Wai Loy.

Las Cascadas:
- Justiniano Richefort.
- Lai Wo.
- Sam Lee.
- Charles Bryant.

Bohio:
- Wing Lee.
- Hing Lee.
- Yee Shun.

Bas Obispo:
- Joaquin Terrago.
- See Lee.
- Chee Chung Hing.
- Tuck Ching.
- Curtis A. Brothers.

Matachin:
- Jose C. M. de la Puerta.
- Agapito Centeno.
- Kwong Sang.

Gorgona:
- Esteban Duran.
- Jacob Kowalsky.
- Tracy Smail.
- George Andrade.
- Lin Tai Chong.

Tabernilla:
- Henry Charles Wong.
- Lam Hing Lung.
- M. Alfonso Fon.
- Tomas Santi.
- Chow Bing.
- Chong Tai.

Gatun:
- Lam Hing & Co.
- Yee Chong.
- Yee Kee.
- Pedro Arranz.
- Primitivo Velasco.
- Prudencio San Martin.
- Yee San Lun.
- John Richard Drummond.

4. Upon motion, it was—

Resolved, That, effective October 1, 1910, children of nonresidents of the Canal Zone may attend the public schools of the Canal Zone, when, in the opinion of the Superintendent of Schools, it is practicable to admit them, on payment, in advance, of the following tuition, to be accounted for to the Treasurer of the Canal Zone:

	Per month.
Graded schools	$4
High school	8

Provided, however, That no tuition shall be charged in case of children whose parents or guardians are employees of the Isthmian Canal Commission or the Panama Railroad Company.

5. The following resolution, adopted by letter ballot, authorizing Harry M. Payne, clerk, department of sanitation, to enter May 12, 1910, upon forty-two days' leave of absence with pay for his service year beginning August 13, 1909, was formally confirmed:

Resolved, That Harry M. Payne, clerk, department of sanitation, be granted forty-two days' leave of absence with pay, effective May 12, 1910, for his service year beginning August 13, 1909, which ordinarily would not be due until June 13, 1910.

There being no further business before the Commission, the meeting was adjourned at 3.30 o'clock p. m., subject to the call of the Chairman.

ONE HUNDRED AND FIFTY-EIGHTH MEETING.

CULEBRA, CANAL ZONE, *August 25, 1910.*

The Commission met at the call of the Chairman at 2.30 p. m.

Present: Commissioners Goethals (Chairman), Hodges, Gaillard, Sibert, Rousseau, Gorgas, Thatcher, and Secretary Bishop.

The minutes of the one hundred and fifty-seventh meeting were read and approved.

1. The Chairman read the following Executive orders, which were ordered to be spread upon the minutes:

EXECUTIVE ORDER.

By virtue of the authority vested in me, I hereby establish the following Executive order for the Canal Zone and its auxiliary lands and waters:

SECTION 1. The Isthmian Canal Commission is hereby empowered to establish rules and regulations to facilitate and protect the works of excavation, dredging, and other canal construction within the Canal Zone and the lands and waters auxiliary thereto; as well as such rules and regulations respecting the use, or passage through any of the canal channels, lakes, and other auxiliary waters as from time to time the Commission may deem needful to fully protect such channels, lakes, and auxiliary waters, and to facilitate and protect the operations of canal construction therein.

The rules and regulations that may be adopted by the Canal Commission in accordance with the provisions of this order shall have the force and effect of law when approved by the Secretary of War.

SECTION 2. Any person violating any of the provisions of the rules and regulations established hereunder shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not to exceed five hundred dollars ($500), or by imprisonment in the district jail for not more than six months, or by both such fine and imprisonment, in the discretion of the court.

WM. H. TAFT.

THE WHITE HOUSE, *July 25, 1910.*

(No. 1230.)

EXECUTIVE ORDER.

By virtue of the authority vested in me, I hereby establish the following order for the Canal Zone Government:

SECTION 1. No civil action or special proceeding shall be brought or proceeded with in the courts of the Canal Zone, in any case in which both of the

parties, plaintiff and defendant, are alien nonresidents of the Canal Zone, and the cause of action is one which arose without the territorial limits of the Canal Zone Government, and the party proceeded against has no property within said territorial limits, subject to the jurisdiction of the Canal Zone courts.

Neither shall any civil action or special proceeding be brought or proceeded with in the courts of the Canal Zone when both parties, plaintiff and defendant, though citizens of the United States, are found transiently within the limits of the Canal Zone Government, unless the cause of action is one arising within the said territorial limits, or the party proceeded against has property within the said limits, subject to the jurisdiction of the Canal Zone courts.

This Order shall not be construed to exclude from the jurisdiction of the Canal Zone courts cases between parties who have an official or business residence within the territorial limits of the Canal Zone Government, or who reside therein for the purpose of any occupation or employment, notwithstanding that they may not have acquired a permanent residence within said territorial limits.

SECTION 2. All laws, orders and decrees, or parts thereof, in conflict with this order, are hereby repealed.

WM. H. TAFT.

THE WHITE HOUSE, *July 28, 1910.*

(No. 1231.)

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2. The Chairman reported that as to the agreement in effect May 1, 1909, for telephone and telegraph service to be furnished by the Panama Railroad Co., he had agreed with that company, in accordance with the recommendations of the committee representing both interests, that the Commission shall pay, beginning September 1, 1910, the sum of $10,000 per month for this service, instead of $7.50 per telephone per month; and that the existing contract, as approved at the one hundred and fifty-second meeting of the Commission, remains unchanged in other particulars.

The Chairman's action was approved.

3. To facilitate the reduction of force that will be necessary as the construction of the canal nears completion, and for the benefit of those employees who are unable to meet the expense of an annual vacation in the United States without encroaching on the savings which they may require to tide them over a period of enforced idleness when their employment on the Isthmus is finally terminated, it is—

Resolved, That any employee whose 42 days' leave of absence with pay shall become due on or after January 1, 1911, may defer such leave until his service is terminated, and if an employee serves 22 months continuously he may be granted not to exceed 84 days' leave with pay, provided that his resignation is accepted to take effect at the expiration of such leave, or that he is to be discharged on account of reduction of force.

Resolved further, That an employee who has deferred his leave and who is discharged on account of reduction of force may be granted, in addition to 42 days' leave of absence with pay, 3½ days' cumulative leave for each month's actual service in excess of 12 months to a total of not more than 84 days.

An employee who has accumulated 84 days' leave, but does not propose to leave the service, may be allowed 42 days' leave of absence with pay and may be credited with the 42 days still due him; and may again accumulate an additional 42 days, not to exceed a total of 84 days as provided above.

This resolution amends the clause in the resolution of June 11, 1907, reading: "* * * leave is not to be cumulative unless an employee is prevented by the Government from taking such leave when due."

4. In view of the exceptional circumstances, the Commission authorized Lieut. Col. Charles F. Mason, Superintendent of Ancon Hospital, to defer his leave of absence with pay for his service year beginning May 3, 1909, until December 15, 1910, with the proviso that no leave will be earned for the period from May 3, 1910, until the effective date of his leave.

5. Whereas it is at times necessary for employees, in order to hasten recovery from injury or disease contracted in line of duty on the Isthmus, to temporarily return to the United States; and

Whereas, by reason of such absence they are required to surrender family quarters,

Resolved, That the applications of such employees may be placed at the head of the list for assignment to the first quarters vacated after their return to duty, provided their sojourn in the United States was upon the recommendation of the medical examining board.

6. Attention was called to the fact that family quarters in some instances have been held unoccupied longer than 56 days by being reassigned to the same employee upon a new application, thus depriving the Commission of the quarters for assignment to other employees. This practice being deemed an evasion of the regulations governing the assignment of family quarters, upon motion it was—

Resolved, That no new assignment of family quarters shall be made to an employee within 15 days after the quarters previously assigned are forfeited or released.

7. After discussion the following was adopted as representing the views of the Commission as to the policy which should be followed by the Isthmian Canal Commission in its relations with the Panama Railroad Co., and the opinion was expressed that as soon as practicable all existing contracts with the Panama Railroad Co. should be modified to conform with this policy:

Resolved, That it is the opinion of the Commission that loans of plant and equipment between the Isthmian Canal Commission and

the Panama Railroad Co., including steamships and other marine equipment, docks and wharves, rolling stock, excavation machinery, and other classes of property, should be without charge for use and depreciation; and all services and work that one interest may perform for the other should be, so far as practicable, without profit—but this should not affect the usual surcharges on labor and material which have been or may be adopted.

8. The Chairman was authorized to have 24 pews and 24 kneeling benches manufactured, at an estimated cost of $128, the same to be loaned to St. Mary's Catholic Church at Balboa for use in the church building, but to remain the property of the Commission.

9. The Commission formally confirmed the following resolution, adopted by letter ballot of August 6, 1910, granting to Dr. A. E. Mayner, assistant health officer at Panama, the privilege of filing an application for family quarters:

Resolved, That in consideration of the length of service of Dr. A. E. Mayner, assistant health officer at Panama, and of his previous service to the United States Government, an exception in his favor may be made to the rule of the Commission adopted at its 135th meeting, providing that it would thereafter be impracticable to provide other than bachelor quarters for employees hired on the Isthmus and who are not citizens of the United States, and his application for family quarters may be accepted.

10. The following resolution, adopted by letter ballot, authorizing Howard M. Lloyd, clerk, central division, to enter, June 25, 1910, upon 42 days' leave of absence with pay for his service year beginning September 11, 1909, was formally confirmed:

Resolved, That Howard M. Lloyd, clerk, central division, be granted 42 days' leave of absence with pay, effective June 25. 1910, for his service year beginning September 11, 1909, which ordinarily would not be due until July 11, 1910.

11. The following resolution, adopted by letter ballot, authorizing Maj. G. M. Hoffman, assistant engineer in the Atlantic division, to enter, October 5, 1910, upon 42 days' leave of absence with pay for his service year beginning January 9, 1910, was formally confirmed:

Resolved, That Maj. G. M. Hoffman be granted 42 days' leave of absence with pay, effective October 5, 1910, for his service year beginning January 9, 1910, which ordinarily would not be due until November 9, 1910.

12. The following amendment to Paragraph A, section 7, of the "Regulations providing for certain taxes and licenses in the Canal Zone other than for the sale of intoxicating liquors," was read and approved:

Be it enacted by the Isthmian Canal Commission, That Paragraph A, section 7, of the "Regulations providing for certain taxes and licenses in the Canal Zone

other than for the sale of intoxicating liquors," effective July 1, 1908, is hereby amended to read as follows:

"For operating for hire a public coach or carriage, not operated by motor power, for the transportation of passengers, a license tax of $1.25 per month shall be charged; for a public cart, dray, or other public vehicle not operated by motor power the following license taxes shall be charged, namely, for each two-wheel vehicle, $2.50 per month; for each four-wheel vehicle, $5 per month: *Provided, however*, That in the construction and application of this section all vehicles which are used on the public roads of the Canal Zone for the transportation of merchandise, or other articles of value, by merchants and dealers, shall be held to be subject to license as provided in this section: *Provided, however*, That the license taxes in this section enumerated shall not apply to conveyances of the herein indicated character wherein passengers are transported for hire which are duly licensed in the Republic of Panama."

13. The following ordinance, providing for the licensing and regulation of motor vehicles in the Canal Zone, was read and approved:

ORDINANCE Providing for the licensing and regulation of motor vehicles in the Canal Zone.

Be it enacted by the Isthmian Canal Commission as follows:

SECTION 1. That hereafter there shall be collected and accounted for, as other similar taxes, the following license taxes from the owners or operators of motor vehicles used or employed on the streets or roads of the Canal Zone, namely, (*a*) for each motor vehicle (except motor cycles) used for the transportation of freight or passengers for hire, or for the transportation of merchandise or freight by any merchant or dealer, one hundred and fifty dollars ($150) per annum; (*b*) for each motor vehicle (except motor cycles) operated for pleasure, twenty-five dollars ($25) per annum; and (*c*) for each motor cycle ten dollars ($10) per annum.

SEC. 2. Before any person shall use or operate any motor vehicle on the public roads or streets of the Canal Zone, he shall procure from the collector of revenues of the Canal Zone government a license authorizing him to so use and operate such motor vehicle on said public roads or streets.

SEC. 3. Each motor vehicle operated on said roads or streets shall at all times when so operated carry thereon, at a conspicuous place at the rear thereof, a metal tag or card bearing thereon, in large numerals, the number of the license for such vehicle. It shall be the duty of the collector of revenues, when such license is issued, to furnish to the licensee said metal tag or card bearing said number, and the licensee shall, in addition to the license tax, pay to said collector a fee of one dollar ($1) for furnishing said tag or card, which fee shall be accounted for by said collector to the Zone government in the same manner as are such license taxes. It shall be unlawful for any person to operate or use on said roads or streets any motor vehicle unless the same bears at a conspicuous place at the rear thereof such numeral tag or card.

SEC. 4. The collector of revenues shall keep a register, wherein he shall number, in consecutive order, all licenses granted by him under this ordinance, and the names of the licensees, and a brief description of the motor vehicle licensed. Such register shall be a public record. Said collector shall, immediately upon issuing any license herein provided for, give notice thereof, and furnish the information shown by the aforesaid register, to the chief of police, who shall cause arrests to be made for violations of this ordinance.

SEC. 5. Before the collector of revenues shall issue any license hereunder for the operation of any motor vehicle he must be satisfied, from proof furnished,

or from his personal investigation, that such motor vehicle for which the license is desired can pass with ease and safety on any turn or part of any public road or street of the Canal Zone any other vehicle authorized by law to travel thereon. The said collector's refusal to issue any license indicated herein may, upon the formal request of the refused applicant, be reviewed by the head of the department of civil administration, whose decision shall be final.

SEC. 6. All motor vehicles shall, when being operated on any of the Canal Zone streets or roads, between the hours of 6 p. m. and 5 a. m., carry and prominently display lights as follows: Automobiles, or motor vehicles of similar construction, two bright front or head lights, one on either side, and one red light at the rear; motor cycles, one bright headlight.

SEC. 7. Except as to requirements for the use of lights, as provided in section 6 hereof, this ordinance will not apply to motor vehicles which may be used on the public roads or streets of the Canal Zone under the authority of the chairman of the Isthmian Canal Commission or of the Secretary of War for official purposes.

SEC. 8. The term "motor vehicle," as used herein, shall apply to and include every vehicle or conveyance which may be drawn or propelled by means of steam, gas, naphtha, fluid, electricity, or other similar motor power.

SEC. 9. Any person violating any provision of this ordinance shall be deemed guilty of a misdemeanor, and shall, upon conviction in any district court of the Canal Zone, be punishable by a fine not to exceed fifty dollars ($50), or imprisonment not to exceed 30 days, or by both such fine and imprisonment, in the discretion of the court.

SEC. 10. This ordinance shall be effective from the date of its approval by the Secretary of War.

14. The following ordinance, providing for the fixing of rates of charges to be made for the transportation of passengers over the streets and roads of the Canal Zone, was read and approved:

ORDINANCE Providing for the fixing of rates of charges to be made for the transportation of passengers over the streets and roads of the Canal Zone.

Be it enacted by the Isthmian Canal Commission as follows:

SECTION 1. The head of the department of civil administration is hereby empowered and directed to fix rates of charges which may be made and collected by persons engaged in the transportation of passengers for hire over the streets and roads of the Canal Zone by means of any automobile, or other motor vehicle of similar construction or operation, or by means of any carriage, surrey, wagon, cart, or other conveyance drawn by horses or mules. He is also empowered and directed, at any time when circumstances may appear to warrant, to revise or change such rates as may have been theretofore fixed by him. Said rates shall be reasonable.

SEC. 2. Immediately upon fixing such rates of charges or upon any revision or change thereof being made by him, the head of the department of civil administration shall promulgate said rates or charges or any revision thereof in the following manner, to wit:

(*a*) By publication thereof in two consecutive issues of the Canal Record;

(*b*) By publication thereof, by printed posters posted conspicuously in each of the following places: at the various police stations of the Canal Zone; at the various passenger stations of the Panama Railroad in the Canal Zone and in the Republic of Panama; at the post office buildings in the Canal Zone, and at any other points as may seem to him proper in order that due notice thereof to the public may be given.

SEC. 3. The head of the department of civil administration shall also cause to be printed a sufficient number of cards or pamphlets containing such rates of charges so fixed or revised by him as may be necessary to furnish a copy thereof to each person driving or operating any conveyance of the hereinbefore indicated character for the transportation of passengers for hire in the Canal Zone; and it is hereby made the duty of all such persons to secure from the head of the department of civil administration such copy, and to keep same at all times conspicuously posted or displayed in each such conveyance so used or operated; and a failure so to do will constitute a violation of this ordinance.

SEC. 4. When rates for such transportation shall have been fixed and promulgated, as by this ordinance directed, any person who shall charge and collect for the transportation of any person over the streets or roads of the Canal Zone in either of the hereinbefore indicated conveyances any sum in excess of such prescribed and promulgated rates, shall be held to have committed a violation of this ordinance; and any person who has received for himself or others such transportation in the Canal Zone, and who fails or refuses to pay therefor the rate thus prescribed and promulgated, shall, likewise, be held to have committed a violation of this ordinance: *Provided, however*, A rate different from that promulgated hereunder may be charged and paid if the parties to the transaction may agree thereon; but if there be any dispute as to such agreement the duly prescribed rate shall prevail.

SEC. 5. Any person, firm, or corporation who fails to comply with any requirement or provision of this ordinance, or who charges and receives any rate in excess of that prescribed by the head of the department of civil administration, or who refuses to pay any rate prescribed by the head of the department of civil administration agreeably to the provisions of this ordinance, shall be held to be guilty of a misdemeanor, and upon conviction shall be fined for each offense a sum not exceeding twenty-five dollars ($25).

15. The Chairman presented a statement showing appointments, promotions, and other changes in the personnel of the Washington office and assistant purchasing agencies, covering the period from January 1, 1910, to June 30, 1910, inclusive; all of which were ratified and approved.

16. The Commission favorably considered a petition from employees at Corozal requesting that the recreation building at that place be turned over to the division of clubhouses for operation, and authority was granted for the employment of a secretary, for the purchase of additional equipment, and for alterations to building.

17. The head of the department of civil administration submitted the revised rules and regulations for the government of the division of police and prisons, Canal Zone, prepared by a board appointed for that purpose, and upon motion it was

Resolved, That the revised rules and regulations for the government of the division of police and prisons, Canal Zone, be, and the same hereby are, approved, to become effective September 1, 1910.

There being no further business before the Commission the meeting adjourned at 4.15 p. m., subject to the call of the Chairman.

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